

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE: GUIDANT, INC. IMPLANTABLE)	
DEFIBRILLATORS PRODUCTS)	MDL No: 05-1708 (DWF/AJB)
LIABILITY LITIGATION)	
)	Case No. 07-cv-2295
This pleading relates to:)	
CLARIAN RANDALL)	MOTION TO WITHDRAW AS
Plaintiff(s))	COUNSEL OF RECORD WITHOUT
)	SUBSTITUTION FOR
vs.)	PLAINTIFF CLARIAN RANDALL
)	
GUIDANT CORPORATION, ET AL)	
Defendant(s))	
)	

**MOTION TO WITHDRAW AS COUNSEL OF RECORDS WITHOUT
SUBSTITUTION FOR PLAINTIFF CLARIAN RANDALL**

Pursuant to Rule 83.7(b) of the Local Rules of the United States District Court for the District of Minnesota, counsel for Clarian Randall, Matthew E. Lundy, Lundy & Davis, L.L.P.; Aylstock, Witkin, Kreis & Overholtz, PLLC; Barrios, Kingsdorf & Casteix, LLP; Andrus & Boudreaux, PLC; Neblett, Beard & Arsenault; and all other attorneys of record in this matter hereby request the Court and counsel allow for the withdrawal as counsel of record for Clarian Randall. The undersigned currently are listed as counsel for Clarian Randall and of counsel and hereby request withdrawal and in support thereof state:

Plaintiff, Clarian Randall has suffered a stroke, resides at River Place Nursing Center, 1126 Earl Frye Blvd., Amory, MS 38821 under constant care and is unable to communicate with counsel. Mabry Allison is the brother and caretaker of Ms. Clarian Randall who also has Power of Attorney for Ms. Randall and has also signed a contract for services with counsel on behalf of Ms. Clarian Randall. Counsel has communicated with Plaintiff's caretaker and brother, Mabry Allison the status of proceedings, the existence of a proposed settlement, the likely recovery under the settlement, the necessary steps to remain part of that

settlement, the deadline for providing claimant's release and declaration. Plaintiff's brother and caretaker, Mabry Allison has refused to provide release of the defendant in this matter. Plaintiff's inability to communicate with counsel and Mabry Allison's failure to sign has created irreconcilable differences with counsel.

A copy of this motion will be served upon Plaintiff at her last known address of 1126 Earl Frye Blvd., Amory, MS 38821 and on Plaintiff's brother and caretaker, Mabry Allison at his last known address of 32700 Highway 45 N, Okolona, MS 38860.

Dated: August 12, 2008

Respectfully submitted,
LUNDY & DAVIS, L.L.P.

/s/ MATTHEW E. LUNDY
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OF COUNSEL FOR PLAINTIFF CLARIAN RANDALL

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion to Withdraw As Counsel of Record Without Substitution has been filed electronically on this 12th day of August 2008 using the Court's CM/ECF system and sent via USPS Certified Mail to Plaintiff Clarian Randall and Plaintiff's brother and caretaker, Mabry Allison at their respective last known addresses of:

1126 Earl Frye Blvd.
Amory, MS 38821

32700 Highway 45 N
Okolona, MS 38860

Dated: August 12, 2008

Respectfully submitted,
LUNDY & DAVIS, L.L.P.

/s/ MATTHEW E. LUNDY
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